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7 Attorneys for the Plaintiff

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11 Plaintiff,)
12 v.)
13 JOSE JAIME CARDENAS and)
14 JUAN ALFREDO BERMUDEZ,)
15 Defendants.)
16 _____)

No. CR 05-0118 MMC

UNITED STATES MOTION AND
STIPULATION AND
PROPOSED ORDER TO CONTINUE;
ORDER THEREON

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18 The parties stipulate and agree that the status hearing date set for December 17, 2008
19 should be continued to January 30, 2008 so that Attorney Steven Gruel can appear as he has been
20 ordered to appear in a San Jose Court on December 17, and the parties can continue their work
21 towards a resolution of the matter. Time under the Speedy Trial Act has previously been
22 excluded to the scheduled trial date of December 16, 2008, the Court having found the ends of
23 justice are best served by such continuance so that continuity of counsel can be maintained and

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28 STIP. AND [PROPOSED] ORDER
CASE NO. CR 05-0118 MMC

1 such continuity outweigh the best interests of public and defendants in a speedy trial. 18 U.S.C.
2 3161.

3
4 .DATED: December 15, 2008

5 Respectfully submitted,

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 BRIAN J. STRETCH
9 Chief, Criminal Division

10 /s/
11 C. DAVID HALL
12 Assistant United States Attorney

13 /s/
14 CLAIRE LEARY
Attorney for JOSE JAIME CARDENAS

15 /s/
16 STEVEN GRUEL
17 Attorney for JUAN ALFREDO BERMUDEZ

18 Good cause appearing, the change of plea hearing is hereby CONTINUED from December 18,
19 2008 to January 30, 2009, at 2:00 p.m. The Court finds the time period from December 17, 2008
20 to January 30, 2009 is excludable pursuant to 18 U.S.C. § 3161(h)(8)(A), given that the ends of
21 justice are best served by such continuance so that continuity of counsel can be maintained, and
22 that such continuity and the parties' continuing efforts to work toward a resolution of the matter
23 outweigh the best interests of the public and defendants in a speedy trial.
24 IT IS SO ORDERED

25 DATED: December 17, 2008

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28 MAXINE M. CHESNEY
United States District Court Judge